

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:13-00192

LEONARD LEWIS HARE

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On July 5, 2018, the United States of America appeared by Joshua C. Hanks, Assistant United States Attorney, and the defendant, Leonard Lewis Hare, appeared in person and by his counsel, Christian M. Capece, Federal Public Defender, for a hearing on the petition seeking revocation of supervised release submitted by United States Probation Officer Lilla M. Adkins. The defendant commenced a 35-month term of supervised release in this action on December 7, 2017, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on December 15, 2017.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant used and possessed controlled substances as evidenced by a positive urine specimen submitted by him on May 9, 2018, for morphine, and a positive urine specimen submitted by him on May 28, 2018, for methamphetamine; and (2) the defendant failed to abide by the special condition that he spend a period of six months in a community confinement center inasmuch as he entered Dismas Charities on January 5, 2018, and was discharged on May 29, 2018, after having possessed alcohol on March 29, 2018, and submitting a positive urine specimen on May 9, 2018; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violation if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

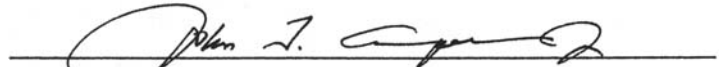
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FIVE (5) MONTHS.

The defendant was remanded to the custody of the United States Marshal.

Recommendation: The court recommends that the defendant be designated to FCI Gilmer.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: July 6, 2018

  
John T. Copenhaver, Jr.  
United States District Judge